

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

N.Y.S.D. Case #  
10-cv-8258(ALC)

**MANDATE**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7<sup>th</sup> day of October, two thousand and fourteen.

Before: Rosemary S. Pooler,  
Peter W. Hall  
Susan L. Carney,  
*Circuit Judges.*

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: January 12, 2015**

Community Health Care Association of New York, Anthony L. Jordan Health Center, Bedford Stuyvesant Family Health Center, Inc., Brooklyn Plaza Medical Center, Inc., Brownsville Multi-Service Family Health Center, Charles B. Wang Community Health Center, Inc., Community Health Center of Buffalo, Inc., Community Health Center of Richmond, Inc., Community Healthcare Network, Damian Family Care Centers, Inc., East Harlem Council for Human Services, Inc., East Hill Family Medical, Inc., Ezra Medical Center, Family Health Network of Central New York, Inc., Finger Lakes Migrant Health Care Project, Inc., Heritage Health and Housing, Inc., Hudson Headwaters Health Network, Hudson River Healthcare, Inc., Joseph P. Addabbo Family Health Center, Inc., Middleton Community Health Center, Inc., Morris Heights Health Center, Mount Vernon Neighborhood Health Center, Inc., Northern Oswego County Health Services, Inc., Northwest Buffalo Community Health Care Center, Oak Orchard Community Health Center, Inc., ODA Primary Health Care Center, Inc., Open Door Family Medical Center, Inc., Rochester Primary Care Network, Ryan/Chelsea-Clinton Community Health Center, Schenectady Family Health Services, Inc., DBA Hometown Health Center, Sunset Park Health Council, Inc., Syracuse Community Health Center, Inc., Greater Hudson Valley Family Health Center, Inc., Urban Health Plan, Incorporated, Whitney M. Young, Jr. Health Center, William F. Ryan Community Health Center,

Plaintiffs-Appellants-Cross-Appellees,

**JUDGMENT**

Docket Nos. 13-771 (L); 13-3332 (Con); 13-991 (Con); 13-3454 (Con)

v.

M.D. Nirav Shah, in his Official Capacity as Commissioner, New York State Department of Health, State of New York,

Defendant-Appellee-Cross-Appellant.



The appeal in the above captioned case from an order of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

**MANDATE ISSUED ON 01/12/2015**

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the order of the district court is AFFIRMED in part, and VACATED and REMANDED in part.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit